

SAO
RESNICK & LOUIS, P.C.
Melissa J. Roose, Esq., SBN: 7889
mroose@rlattorneys.com
Carissa C. Christensen, Esq., SBN: 14692
cchristensen@rlattorneys.com
8925 W. Russell Road, Suite 220
Las Vegas, NV 89148
Telephone: (702) 997-3800
Facsimile: (702) 997-3800
*Attorneys for Defendant,
Swift Transportation Co. of Arizona, LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LAURA PETERS.

CASE NO.: 2:19-cv-00874-GMN-EJY

Plaintiffs,
v.

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES

SWIFT TRANSPORTATION CO. OF ARIZONA, LLC; DOE DRIVER; DOES I through XX, inclusive; and ROE BUSIENSS ENTITIES I through XX, inclusive.

(Second Request)

Defendants.

IT IS HEREBY STIPULATED by and between Plaintiff, LAURA PETERS, through her attorney, RAMZY PAUL LADAH, ESQ. of the law firm of LADAH LAW FIRM, and Defendant, SWIFT TRANSPORTATION CO. OF ARIZONA, LLC, through its attorneys MELISSA J. ROOSE, ESQ. and CARISSA CHRISTENSEN, ESQ. of the law firm of RESNICK & LOUIS, P.C., that good cause existing, discovery in this matter shall be extended an additional ninety (90) days for the purpose of completing the discovery described herein. Pursuant to LR 26-4, the parties offer the following in support of the stipulation to extend discovery:

I. DISCOVERY WHICH HAS BEEN COMPLETED:

1. Plaintiff's Initial FRCP 26(a) disclosures and supplements thereto;

- 1 2. Defendant's Initial FRCP 26(a) disclosures and supplements thereto;
- 2 3. Defendant's Requests for Production of Documents and Interrogatories;
- 3 4. Plaintiff's Responses to Defendant's Requests for Production and Interrogatories;
- 4 5. Plaintiff's Requests for Production of Documents and Interrogatories;
- 5 6. Independent Medical Examination of Plaintiff;
- 6 7. Disclosure of Plaintiff's biomedical/biomechanical expert and neurosurgeon
expert; and
- 7 8. Disclosure of Dr. Montesano's report regarding the Independent Medical
Examination of Plaintiff.

10 **II. DEPOSITIONS TAKEN TO DATE**

- 11 1. None.

12 **III. DISCOVERY THAT REMAINS TO BE COMPLETED**

- 13 1. Deposition of Plaintiff;
- 14 2. Depositions of Plaintiff's treating physicians;
- 15 3. Disclosure of remaining experts;
- 16 4. Disclosure of rebuttal experts; and
- 17 5. Depositions of the parties' respective experts.

18 The Parties anticipate that they may need to conduct other forms of discovery, though not
19 specifically delineated herein, and anticipate doing so only on an as-needed basis.
20

21 **IV. REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS
22 AND NEEDS TO BE EXTENDED**

23 The parties have been diligently working on this matter and have made significant
24 progress to posture this case for potential resolution. On January 21, 2020, Plaintiff underwent
25 a posterior lumbar interbody fusion at L3-4 and L4-5. Thereafter, Plaintiff has continued her
26 post-surgical intervention medical treatment and the parties have been working to obtain these
27 additional medical records and billing to fully ascertain the extent of the injuries and damages at
28 issue.

///

1 The parties also planned to schedule Plaintiff's in-person deposition once Plaintiff
2 recovered from surgery sufficiently to present for her deposition. However, as soon as the
3 parties were preparing to schedule the deposition, Governor Sisolak began issuing Declarations
4 of Emergency Directives in response to the current COVOID-19 pandemic, which have
5 precluded the parties from being able to conduct Plaintiff's deposition in person at this time.

6 Additionally, the parties had previously agreed to participate in mediation to potentially
7 resolve this matter prior to incurring much of the time and expense of expert discovery. The
8 parties had scheduled the mediation to take place on March 24, 2020. However, based on
9 Governor Sisolak's Declaration of Emergency Directive that ordered the closure of all non-
10 essential businesses in response to the current COVOID-19 pandemic, the mediator cancelled
11 and had to continue the mediation to take place on June 15, 2020.

12 The parties submit that good cause exists to grant the extension of discovery as
13 described herein because the full extent of Plaintiff's claimed damages are still changing and are
14 not fully known at this time. Additionally, the extension described herein would allow time for
15 Plaintiff's in-person deposition and for the parties' experts to review the complete medical
16 records, billing, and deposition testimony prior to the disclosure of their initial reports. Despite
17 both parties' efforts, they have been precluded from fully investigating the merits of this case
18 through necessary discovery due to the COVOID-19 pandemic.

19 The parties have met and conferred regarding the challenges and the time needed to
20 complete discovery and estimate an additional 90 days is required to fully complete discovery,
21 attempt resolution via mediation, and if necessary, prepare this matter to proceed to trial in light
22 of the restrictions in place due to the COVOID-19 pandemic.

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **V. CURRENT DISCOVERY DEADLINES AND TRIAL DATE**

2

	Current Deadline	Proposed Deadline
Discovery Cutoff:	07/09/2020	10/07/2020
Disclosure of Initial Experts:	05/10/2020	08/10/2020
Rebuttal of Expert:	06/09/2020	09/08/2020
Last Day to Amend Pleadings/Add Parties	01/10/2020 (expired)	unchanged
Interim Status Report	05/10/2020	08/10/2020
Dispositive Motions:	08/06/2020	11/04/2020
Pretrial Order	09/03/2020	12/02/2020

9 **VII. CURRENT TRIAL DATE**

10 This case is not currently set for trial.

12 DATED this 3rd day of April, 2020.

13 **LADAH LAW FIRM**

14 */s/ Ramzy Paul Lada*

15 Ramzy Paul Lada, Esq., SBN: 11405
16 517 S. Third Street
17 Las Vegas, NV 89101
18 *Attorneys for Plaintiff*
19 *Laura Peters*

12 DATED this 3rd day of April, 2020.

13 **RESNICK & LOUIS, P.C.**

14 */s/ Carissa Christensen*

15 Melissa J. Roose, Esq., SBN: 7889
16 Carissa C. Christensen, Esq., SBN: 14692
17 8925 W. Russell Road, Suite 220
18 Las Vegas, NV 89148
19 *Attorneys for Defendant*
20 *Swift Transportation Co. of Arizona, LLC*

21 IT IS SO ORDERED.

22 
23 UNITED STATES MAGISTRATE JUDGE

24 Dated: April 6, 2020